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THE CITY OF SAN DIEGO
REPORT TO THE CITY COUNCIL

DATE ISSUED: May 9, 2007 REPORT NO: 07-069 Rev.

ATTENTION: Council President and City Council
Docket of May 14, 2007

SUBJECT: North Park Maintenance Assessment District - Reballot

REFERENCE:

REQUESTED ACTION:

This City Council action will increase the Fiscal Year 2008 assessments for the North Park Maintenance Assessment District. The District is generally located north of Upas and Juniper Streets, south of Monroe Avenue, west of Interstate 805, and east of Georgia Street.

Projects authorized by the current District have largely been completed. In response to the limited services the current District can provide, and in reaction to community outreach which identified a need for enhanced future community improvements and services within the District, community representatives have requested that the City initiate proceedings to allow for an increase in assessments beyond the amount currently authorized.

STAFF RECOMMENDATION:

~~Authorize the commencement of the 45-day balloting period as required by law and schedule a public hearing for July 10, 2007.~~

1. Adopt the resolution initiating proceedings for the augmentation of the North Park Maintenance Assessment District.
2. Adopt the resolution preliminarily approving the engineer's report submitted in connection with the proposed augmentation of the North Park Maintenance Assessment District.
3. Adopt the resolution of intention to augment the North Park Maintenance Assessment District and to levy and collect Fiscal Year 2008 annual assessments on the North Park Maintenance Assessment District.

SUMMARY:

Authorize the commencement of the 45-day balloting period as required by law and schedule a public hearing for July 10, 2007.

FISCAL CONSIDERATIONS:

Approximately \$533,937 will be assessed to property owners within the District in Fiscal Year 2008. The City owns 78 assessable parcels in the District, and it is estimated that the General

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Fund impact will increase from \$3,136.50 to \$4,426.46. The District will be entitled to a contribution from Gas Tax Fund 30219 in the amount of \$20,221. These funds have already been requested as part of the Fiscal Year 2008 budget process. The proposed Fiscal Year 2008 Budget for the District is as follows:

	FY 2008 ⁽¹⁾⁽²⁾	Maximum Authorized ₍₂₎₍₃₎
OPENING FUND BALANCE		
Carryover Fund Balance	\$480,449	--
EXPENSES		
Personnel	\$38,952	\$38,952
Contractual Services	\$205,205	\$205,205
Neighborhood Services	\$442,507	\$442,507
Miscellaneous Services	\$17,084	\$17,084
Incidentals	\$31,352	\$31,352
Utilities	\$50,751	\$50,751
TOTAL EXPENSES	\$785,851	\$785,851
REVENUES		
Assessments	\$534,175	\$534,175
Interest	\$15,500	\$15,500
City Contributions - Gas Tax	\$18,134	\$18,134
TOTAL REVENUES	\$567,809	\$567,809
CLOSING FUND BALANCE	\$262,407	--

(1) FY 2008 is the City's Fiscal Year 2008, which begins July 1, 2007 and ends June 30, 2008.

(2) Individual line item expenses may be higher or lower than shown on an annual basis.

(3) Maximum authorized annual assessment subject to cost-indexing provisions contained in Assessment Engineer's Report.

Annual assessments were calculated by an assessment engineer for parcels within the District and are based on each parcel's equivalent benefit unit (EBU), which is equivalent to one single family dwelling unit. This rate is impacted by parcel land use, benefit, acreage of non-residential properties, and location of properties. The proposed rate for Fiscal Year 2008 would be \$30.28 per EBU.

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PREVIOUS COUNCIL and/or COMMITTEE ACTION:

The District was originally established in April 1996, balloted for compliance with Proposition 218 in 1998, with provisions for additional improvements to be maintained by the District. The additional improvements were determined through a process of community participation and input, and property owners approved the re-engineering of the District with 61.5% of the weighted vote.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The membership of the North Park Maintenance Assessment District Citizen's Advisory Committee (NP CAC), consists of representatives from the following community organizations: Greater North Park Planning Committee, North Park Community Association, Altadena Neighborhood Association, El Cajon Boulevard Business Improvement District, North Park Law Enforcement Committee, San Diego County Apartment Association, North Park Redevelopment Project Area Committee, Burlingame Neighborhood Association and North Park Main Street. The committee also provides for one (1) Homeowner/Resident position. The committee member organizations passed resolutions in support of re-engineering the District on the following dates:

1. North Park Project Area Committee: December 13, 2005
2. North Park Main Street: December 14, 2005
3. Greater North Park Planning Committee: January 17, 2006
4. North Park Community Association: January 25, 2006
5. Burlingame Neighborhood Association: February 3, 2006
6. El Cajon Business Improvement Association: February 13, 2006
7. Altadena Neighborhood Association: February 24, 2006
8. San Diego County Apartment Association: April 3, 2007

Additionally, the North Park Maintenance Assessment District CAC passed the following motions:

1. February 12, 2007 - Approved Fiscal Year 2008 Reballot Budget
2. March 12, 2007 - Approved North Park Assessment Engineer's Report

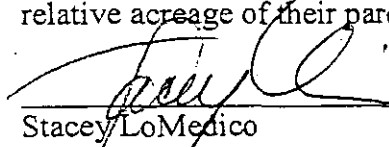
The North Park Maintenance Assessment District CAC has been gathering input and reviewing improvement areas and service levels for the past 17 months. In a survey of property owners located within the District in early 2006, nearly 80% of respondents were in favor of the re-engineering of a new district with a broader range of permissible improvements and services. Additionally, a "North Park Town Hall" meeting was conducted on April 8, 2006 in part to discuss the proposed re-engineering of the District and gather additional community input.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

In addition to the major stakeholder organizations mentioned above, residential property owners are approximately assessed 74% and commercial property owners 24% of the total revenue collected in the District. Under the proposed action, resident property owners will see an annual

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increase of \$11.59, while commercial property owner's increases will vary depending upon the relative acreage of their parcels.



Stacey LoMedico
Park and Recreation Department



Rick Reynolds
Assistant Chief Operating Officer

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America's Finest City

THE CITY OF SAN DIEGO

RECEIVED

SAN DIEGO, CALIF.

Assessment Engineer's Report

NORTH PARK MAINTENANCE ASSESSMENT DISTRICT

Fiscal Year 2008 Assessments
and Maximum Authorized Annual Assessments

under the provisions of the

San Diego Maintenance Assessment District Ordinance
of the San Diego Municipal Code

and

Landscaping & Lighting Act of 1972
of the California Streets & Highways Code

Prepared For

City of San Diego, California

Prepared By

Boyle Engineering Corporation

7807 Convoy Court, Suite 200

San Diego, CA 92111

(858) 268-8080

March 2007

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CITY OF SAN DIEGO

Mavor

Jerry Sanders

City Council Members

Scott Peters
District 1 (Council President)

Kevin Faulconer
District 2

Toni Atkins
District 3

Anthony Young
District 4 (Council President Pro Tem)

Brian Maienschein
District 5

Donna Frye
District 6

Jim Madaffer
District 7

Ben Hueso
District 8

City Attorney

Michael Aguirre

Chief Operating Officer

Ronne Froman

City Clerk

Elizabeth Maland

Independent Budget Analyst

Andrea Tevlin

City Engineer

Hossein Ruhi

Assessment Engineer

Boyle Engineering Corporation

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EXHIBITS

- Exhibit A: Boundary Map
- Exhibit B: Estimated Annual Budget
- Exhibit C: Assessment Roll
- Exhibit D: Noticing List

Assessment Engineer's Report North Park Maintenance Assessment District

Preamble

Pursuant to the provisions of the "Maintenance Assessment Districts Ordinance" (San Diego Municipal Code, Division 2, Article 5, Chapter VI, §65.0201 et seq.), provisions of the "Landscaping & Lighting Act of 1972" (California Streets & Highways Code §22500 et seq.), applicable provisions of "Proposition 218" (Article XIII D of the California Constitution), and provisions of the "Proposition 218 Omnibus Implementation Act" (California Senate Bill 919) (the aforementioned provisions are hereinafter referred to collectively as "Assessment Law"), and in accordance with the Resolution of Intention, being Resolution No. _____, adopted by the CITY COUNCIL OF THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, in connection with the proceedings for the NORTH PARK MAINTENANCE ASSESSMENT DISTRICT (hereinafter referred to as "District"), BOYLE ENGINEERING CORPORATION, as Assessment Engineer to the City of San Diego for these proceedings, submits herewith this report for the District as required by California Streets and Highways §22565.

PRELIMINARY APPROVAL BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, ON THE _____ DAY OF _____, 2007.

Elizabeth Maland, CITY CLERK
CITY OF SAN DIEGO
STATE OF CALIFORNIA

FINAL APPROVAL BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, ON THE _____ DAY OF _____, 2007.

Elizabeth Maland, CITY CLERK
CITY OF SAN DIEGO
STATE OF CALIFORNIA

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Executive Summary

Project: North Park
 Maintenance Assessment District

Apportionment Method: Equivalent Benefit Unit (EBU)

	FY 2008 ⁽¹⁾	Maximum ⁽²⁾ Authorized
Total Parcels Assessed:	8,683	--
Total Estimated Assessment:	\$534,175	\$534,175
Total Estimated EBUs:	17,640.36	--
Assessment per EBU:	\$30.28	\$30.28

⁽¹⁾ FY 2008 is the City's Fiscal Year 2008, which begins July 1, 2007 and ends June 30, 2008. Total Parcels Assessed, Total Estimated Assessment, and Total Estimated EBUs may vary from fiscal year to fiscal year due to parcel changes and/or land use re-classifications.

⁽²⁾ Maximum authorized assessment subject to cost-indexing provisions set forth in this Assessment Engineer's Report.

Annual Cost-Indexing: The maximum authorized assessment will be indexed annually by a factor equal to the published *San Diego Consumer Price Index for Urban Consumers* plus 3%.

Bonds: No bonds will be issued in connection with this District.

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Background

The North Park Maintenance Assessment District (District) was originally established in April 1996, and assessments were levied for Fiscal Year 1997. The District boundary, the parcels included, and the method of apportionment were reviewed in May 1997 for the purpose of compliance with Proposition 218. Through consultation with engineering and legal consultants, and with concurrence of City staff and City Council, it was determined that assessments would not be levied for Fiscal Year 1998. The District's maintenance operations continued to be funded from available reserve funds through Fiscal Year 1998.

The District was re-engineered in 1998 for compliance with Proposition 218, with provisions for additional improvements to be maintained and provided by the District. The additional improvements were determined through a process of community participation and input. By a mail ballot proceeding, property owners approved the re-engineering with 61.5% of weighted votes supporting the proposed assessments. The Assessment Engineer's Report, preliminarily accepted by Resolution Number R-290012 on May 4, 1998, proposed Fiscal Year 1999 assessments, maximum authorized assessments for subsequent years, and provisions for annual cost-indexing of the maximum authorized assessments.

Projects authorized by the current District have largely been completed. A survey of properties located within the District (conducted in early 2006) showed that nearly 80% of respondents were in favor of the formation of a new district with a broader range of permissible improvements/services. In response to the limited services the current District can provide, and in reaction to community outreach which identified a need for enhanced future community improvements/services within the District, community representatives have requested that the City initiate proceedings to allow for an increase in assessments beyond the amount currently authorized. The City has retained Boyle Engineering Corporation (Boyle) to prepare an Assessment Engineer's Report for Fiscal Year 2008 and beyond that provides for an increase in services and assessments.

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District Proceedings for Fiscal Year 2008

This District is, and will continue to be, authorized and administered under the provisions of the "Maintenance Assessment Districts Ordinance" (San Diego Municipal Code, Division 2, Article 5, Chapter VI, §65.0201 et seq.), provisions of the "Landscaping & Lighting Act of 1972" (California Streets & Highways Code §22500 et seq.), applicable provisions of "Proposition 218" (Article XIII D of the California Constitution), and provisions of the "Proposition 218 Omnibus Implementation Act" (California Senate Bill 919) (the aforementioned provisions are hereinafter referred to collectively as "Assessment Law"). This report has been prepared in compliance with Assessment Law.

The purpose of these proceedings and this Assessment Engineer's Report is to:

- Revise the project description to meet community needs.
- Provide for an increase in District assessments beyond the amount currently authorized.
- Provide funding for the maintenance of additional improvements/ services within the District.
- Evaluate the District boundary and determination of benefiting parcels.
- Modify the annual cost-indexing provisions to include a fixed percentage above the *San Diego Consumer Price Index for Urban Consumers*.

Upon preliminary approval of this report by the City Council and the attachment of a resolution of intention, this report will be filed with the Clerk of the City, and a time and place for a public hearing will be set. The Clerk will give notice of the public hearing and proposed assessments by mailing an official notice to all persons owning real property proposed to be assessed as part of the District. In accordance with Assessment Law, a ballot will be mailed with the official notice. The ballot will make provision for casting an affirmative or protest vote.

A public hearing will be scheduled where public testimony will be heard by the City Council. The public hearing will include presentation

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and consideration of this report, hearing of public testimony, and recordation of affirmative and protest votes. After conclusion of the public hearing, a tabulation of affirmative and protest votes will be declared.

If a weighted simple majority of ballots cast by parcel owners (weighted according to each parcel's proportionate assessment) are affirmative, the City Council may, at its discretion, proceed to confirm the new assessments and order the assessments to be levied as proposed in this Assessment Engineer's Report. If a weighted majority of the ballots cast protest the proposed assessments, the proposed assessments must be abandoned.

Bond Declaration

No bonds will be issued in connection with this District.

District Boundary

The District is generally located north of Upas and Juniper Streets, south of Monroe Avenue, west of Interstate 805, and east of Georgia Street. The Boundary Map and Assessment Diagram for the District are on file in the Maintenance Assessment Districts section of the Park and Recreation Department of the City of San Diego, and by reference are made a part of this report. The Boundary Map and Assessment Diagram for the District are available for public inspection during normal business hours. A reduced copy of the Boundary Map is included as **Exhibit A**.

Project Description

The project to be funded by the proposed assessments is the annual maintenance of various improvements/services located within public rights-of-way, including:

1. Street trees, streetscapes and sidewalk furnishings
2. Streetlights (including initial installation costs) beyond those normally provided by the City
3. Graffiti removal
4. Landscaped/hardscaped medians and pop-outs

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5. Street cleaning (median curbs/gutters), and sidewalk cleaning (including minor replacement)
6. Community signage and entry statements
7. Community representatives have also identified the following new project areas to be maintained by the District:
 - Switzer Canyon Bridge
 - North Park Theatre Plaza
 - Pershing Portal
 - Thorn Street Median
 - University Avenue Mobility Project (primarily medians and pop-outs) – anticipated to be constructed in four phases, Fiscal Years 2008-2016

The District may fund the maintenance of additional improvements/services of like character and nature to the extent that they are:

- Consistent with the maintenance functions, as listed in Items 1-6 above,
- Economically feasible under the District's approved budget and reserve fund guidelines, and
- Legally permissible within the confines of Assessment Law.

For additional detail as to location and type of improvements/services, please refer to the engineering plans, maps, sketches, specifications, and other materials on file with the City Park and Recreation Department. The maintenance specifications will be contained in a future City contract and will be on file with the City Clerk and the Park and Recreation Department. The specifications will be available for public inspection during normal business hours.

Separation of General & Special Benefits

The identified improvements/services provide benefit to the parcels located within the District. These benefits are "special benefits" (i.e., beyond those "general benefits" provided to the public at large) because the City does not normally provide such enhanced improvements/services.

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Consistent with City policy for the public at large, the City will contribute for lighting maintenance and energy costs an amount equivalent to that used for City minimum required streetlights (see *City Council Policy 200-18* for lighting standards). The City will also provide the District with annual contributions from the Gas Tax Fund for median maintenance (29¢ per square foot of landscaped median and 11.06¢ per square foot of hardscaped median). These cost allocations, reviewed and adjusted annually by the City, are reflective of the "general benefit" level of service provided by the City to the public at large. All other maintenance, operations, and administration costs associated with the District, in excess of the City's contribution, are for the "special benefits" funded by the District.

Cost Estimate

Estimated Costs

An estimated Fiscal Year 2008 and maximum authorized annual budget (provided by the City) is included as **Exhibit B**. Assessments authorized and collected as part of these proceedings may be used for future balloting and re-engineering efforts, as may be required from time to time.

Annual Cost-Indexing

With the passage of Proposition 218, any proposed increase in District assessments must be approved by affected property owners via a mail ballot and public hearing process, similar to these proceedings. A weighted simple majority of ballots received (weighted according to each parcel's proportionate assessment) must be affirmative for the City Council to confirm and levy the increased assessments. For small assessment districts or districts with relatively low dollar assessments, the cost of an assessment engineer's report, balloting, and the public hearing process can potentially exceed the total amount of the increase. These incidental costs of the proceedings can be added to the assessments, resulting in even higher assessments.

Indexing assessments annually to a factor not-to-exceed the *San Diego Consumer Price Index for Urban Consumers (SDCPI-U)* plus 3% allows for minor increases in normal maintenance and operating costs,

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without incurring the costs of ballot proceedings required by Proposition 218. Any significant change in the assessment initiated by an increase in service provided or other significant changes to the District would still require Proposition 218 proceedings and property owner approval.

The maximum authorized unit assessment rates established in these proceedings will be indexed (increased or decreased) annually by a factor equal to the published SDCPI-U plus 3%. Fiscal Year 2009 will be the first year authorized for such indexing. For example, if a parcel's maximum authorized assessment for a given fiscal year was \$100.00 and the published SDCPI-U increase for that year was 2.0%, the parcel's maximum authorized assessment for the subsequent fiscal year will be increased to a maximum authorized amount of \$105.00 without a vote of property owners in the District. The parcel's actual annual assessment may be less than or equal to the maximum authorized assessment depending upon the estimated budget for the fiscal year.

Method of Apportionment

Estimated Benefit of Improvements

The *Greater North Park Community Plan* (Community Plan) and the general policy recommendations found in the City's *Progress Guide & General Plan* (General Plan) establish several goals, objectives, and guidelines for the planned development of the community. The Community Plan makes specific reference to the following noteworthy objectives:

- "Visually enhance transportation corridors to improve community image and identification." (p. 65)
- "Provide improved street lighting at appropriate locations." (p. 79)
- "Enhance the appearance of major streets through the design of new development, public improvements and landscaping." (p. 109)
- "Preserve existing street trees and increase the quality of landscaping in public right-of-way..." (p. 109)
- "Create neighborhood identities through coordinated street plantings." (p. 109)

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The proposed improvements/services are consistent with these objectives. The City's General Plan and Community Plan support the establishment of community-based improvement and maintenance districts, such as this District, to fund maintenance of enhanced improvements/services.

The proposed improvements/services are generally located in the public rights-of-way along the various transportation corridors within the District. These transportation corridors serve as the primary access routes for inter-community and intra-community trips. Parcels within the District benefit from the improvements/services in terms of enhanced public safety, community image, and aesthetics.

Apportionment Methodology

The total cost for maintenance of the identified improvements/services will be assessed proportionally to the parcels in the District based on Equivalent Benefit Units (EBUs). The total assessment for a given parcel is equal to the parcel's total EBUs multiplied by the Unit Assessment Rate as shown in the following equation:

$$\text{Total Assessment} = \text{Total EBUs} \times \text{Unit Assessment Rate}$$

Equivalent Benefit Units (EBUs)

EBUs for each parcel have been determined as a function of parcel area (or number of residential units) and two factors – a Land Use Factor and a Benefit Factor – related as shown in the following equation:

$$\text{EBUs} = (\text{Acres or Units}) \times \text{Land Use Factor} \times \text{Benefit Factor}$$

Parcels determined to receive no benefit from the maintenance of District improvements/services have been assigned zero (0) EBUs.

Land Use Factor

Since the proposed District improvements/services are primarily associated with the Transportation Element of City's General Plan and Community Plan, trip generation rates for various land use categories (as previously established by the City's Transportation

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Planning section) have been used as the primary basis for the development of Land Use Factors. While these trip generation rates address vehicular trips, they are also considered to approximately reflect relative trip generation for other modes of transportation (e.g., pedestrian trips, bicycle trips, etc.), and are considered the best available information for these other transportation modes.

Trip generation rates provide the required nexus and basis for assigning relative proportionality of potential benefit to the various land use/zoning classifications (as defined by the City's Municipal Code) within the District. Land use/zoning classifications have been grouped with averaged trip generation rates assigned to establish the Land Use Factors as shown in **Table 1**.

TABLE 1: Land Use Factors

Land Use/Zoning ⁽¹⁾	Code	Land Use Factor ⁽¹⁾
Residential – Single Family (detached)	SFD	1.0 per dwelling unit
Residential – Condominium	CND	0.7 per dwelling unit
Residential – Duplex	DUP	0.7 per dwelling unit
Residential – Multi-Family & Apartment	MFR	0.7 per dwelling unit
Residential – Retirement & Convalescent Home	CNV	0.3 per dwelling unit
Church & House of Worship	CRH	2.8 per acre
Commercial – Office & Retail	COM	45.0 per acre
Educational – Primary & Secondary	EPS	5.0 per acre
Fire/Police Station	FPS	15.0 per acre
Industrial & Institutional	IND	15.0 per acre
Library	LIB	40.0 per acre
Open Space (designated)	OSP	0 per acre
Park – Developed	PKD	5.0 per acre
Park – Undeveloped	PKU	0.5 per acre
Street/Roadway	STR	0 per acre
Undevelopable	UND	0 per acre
Utility Facility	UTL	3.0 per acre

⁽¹⁾ Proportional to trip generation rates contained in the City of San Diego *Trip Generation Manual* (May 2003).

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Designated open space serves primarily to preserve natural landscape and habitat. While access for study and passive recreation is often permitted, these activities are allowed only to the extent they are consistent with the primary purpose of natural preservation. Since this land is essentially "unused" in the customary terms of land use (which relate to human use and development), the trip generation rate is zero. Therefore, the designated open space itself receives no benefit from District improvements/services and has been assigned a Land Use Factor of zero.

While those traveling the streets and roadways visually enjoy the enhanced improvements/services being maintained by the District, the actual benefit accrues to the lands at the origins and destinations of their trips, not to the lands of the streets and roadways, themselves. Accordingly, the Streets/Roadways category receives no benefit and has been assigned a Land Use Factor of zero.

Benefit Factor

The Land Use Factor described above establishes a proportionality of relative intensity of use (or potential use) for the various parcels of land within the District. It does not address the relationship of this use to the specific improvements/services to be maintained by the District. This relationship is reflected in the Benefit Factor utilized in the assessment methodology.

In determining the Benefit Factor for each land use category, the subcomponents of the benefits of District improvements/services may include some or all of the following: public safety, view corridors and aesthetics, enhancement of community identity, drainage corridors, and recreational potential. The subcomponents used for this District are: aesthetics, community identity and public safety.

As Benefit Factors and their subcomponents are intended to reflect the particular relationships between specific land uses within a district and the specific improvements/services maintained by the district, Benefit Factors will generally vary from one district to another, based on the specific character and nature of the

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applicable land uses and improvements/services being maintained. For a given land use, the overall Benefit Factor is equal to the sum of the subcomponent values. If a land use category receives no benefit from a subcomponent, then a value of zero is assigned to that subcomponent. A composite Benefit Factor of 1.0 indicates that full benefit is received. A value less than 1.0 indicates that less than full benefit is received.

The applicable benefit subcomponents and resultant composite Benefit Factors determined for the various Land Use/Zoning categories within this District are as shown in Table 2.

TABLE 2: Benefit Factors by Land Use

Land Use/Zoning	Aesthetics (Max. 0.6)	Community Identity (Max. 0.2)	Public Safety (Max. 0.2)	Composite Benefit Factor (Max. 1.0)
Residential – All	0.6	0.2	0.2	1.0
Church & House of Worship	0.3	0.0	0.2	0.5
Commercial – Office & Retail	0.6	0.2	0.2	1.0
Educational – Primary & Secondary	0.3	0.0	0.2	0.5
Fire/Police Station	0.3	0.0	0.2	0.5
Industrial & Institutional	0.6	0.2	0.2	1.0
Library	0.3	0.0	0.2	0.5
Open Space (designated)	0.0	0.0	0.2	0.2
Park – Developed	0.0	0.0	0.2	0.2
Park – Undeveloped	0.0	0.0	0.2	0.2
Street/Roadway	0.0	0.0	0.2	0.2
Undevelopable	0.0	0.0	0.2	0.2
Utility Facility	0.0	0.0	0.2	0.2

Aesthetics. The degree of benefit received from the aesthetic aspect of District improvements/services varies among land use categories. Generally, by nature of their use, residential, commercial, and industrial/institutional lands receive the greatest benefit from aesthetic enhancement of the transportation corridors.

Lands in the Church & House of Worship, Educational, Fire/Police Station, and Library categories are considered to receive a lesser

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degree of benefit from aesthetic enhancement of the transportation corridors.

Lands in the Open Space, Park, Street/Roadway, Undevelopable, and Utility Facility categories are considered to receive no significant benefit from the aesthetic elements of the District improvements/services, as enhanced aesthetic quality of other lands in their vicinity does not affect their function, use, or value.

Community Identity. The District improvements/services provide an enhancement of community identity. Residential, commercial, and industrial/institutional lands benefit from aesthetic enhancement community identity. All other land uses are considered to receive no significant benefit from enhanced community identity, as such enhancement does not affect their function, use, or value.

Public Safety. All land uses are considered to receive the maximum available benefit from the public safety aspect of the District improvements/services. Public safety is essential to all land uses, and even to lands, such as designated open space, held in stewardship with only incidental human use.

Unit Assessment Rates

The Unit Assessment Rate (annual assessment per EBU) is based on the Total Annual Program Costs and Total Estimated EBUs, as shown in the following equation:

$$\text{Unit Assessment Rate} = \text{Total Annual Program Costs} / \text{Total Estimated EBUs}$$

As described above, the total assessment assigned to each parcel in the District has been calculated, based on the preceding factors, as follows:

$$\text{Total Assessment} = \text{Total EBUs} \times \text{Unit Assessment Rate}$$

Based on the above formula, the EBUs, unit assessment rate, and total assessment calculated for each property, can be found in the Assessment Roll (Exhibit C).

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Summary Results

The District Boundary Map is shown in **Exhibit A**.

An estimate of Fiscal Year 2008 and maximum authorized annual maintenance costs associated with District improvements/services is shown in **Exhibit B**.

The assessment methodology utilized is as described in the text of this report. Based on this methodology, the EBUs, Fiscal Year 2008 assessments, and maximum authorized District assessments for each parcel were calculated, and are as shown in the Assessment Roll (**Exhibit C**).

Each lot or parcel of land within the District has been identified by unique County Assessor's Parcel Number on the Assessment Roll, and the Boundary Map and Assessment Diagram referenced herein.

A Noticing List containing parcel ownership and mailing address information has been prepared and is shown in **Exhibit D**.

This report has been prepared and respectfully submitted by:



BOYLE ENGINEERING CORPORATION

Eugene F. Shank, PE

C 52792

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I, _____, as CITY CLERK of the CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, do hereby certify that the Assessment as shown on the Assessment Roll, together with the Assessment Diagram, both of which are incorporated into this report, were filed in my office on the _____ day of _____, 2007.

Elizabeth Maland, CITY CLERK
CITY OF SAN DIEGO
STATE OF CALIFORNIA

I, _____, as CITY CLERK of the CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, do hereby certify that the foregoing Assessment, together with the Assessment Diagram incorporated into this report, was approved and confirmed by the CITY COUNCIL of said City on the _____ day of _____, 2007.

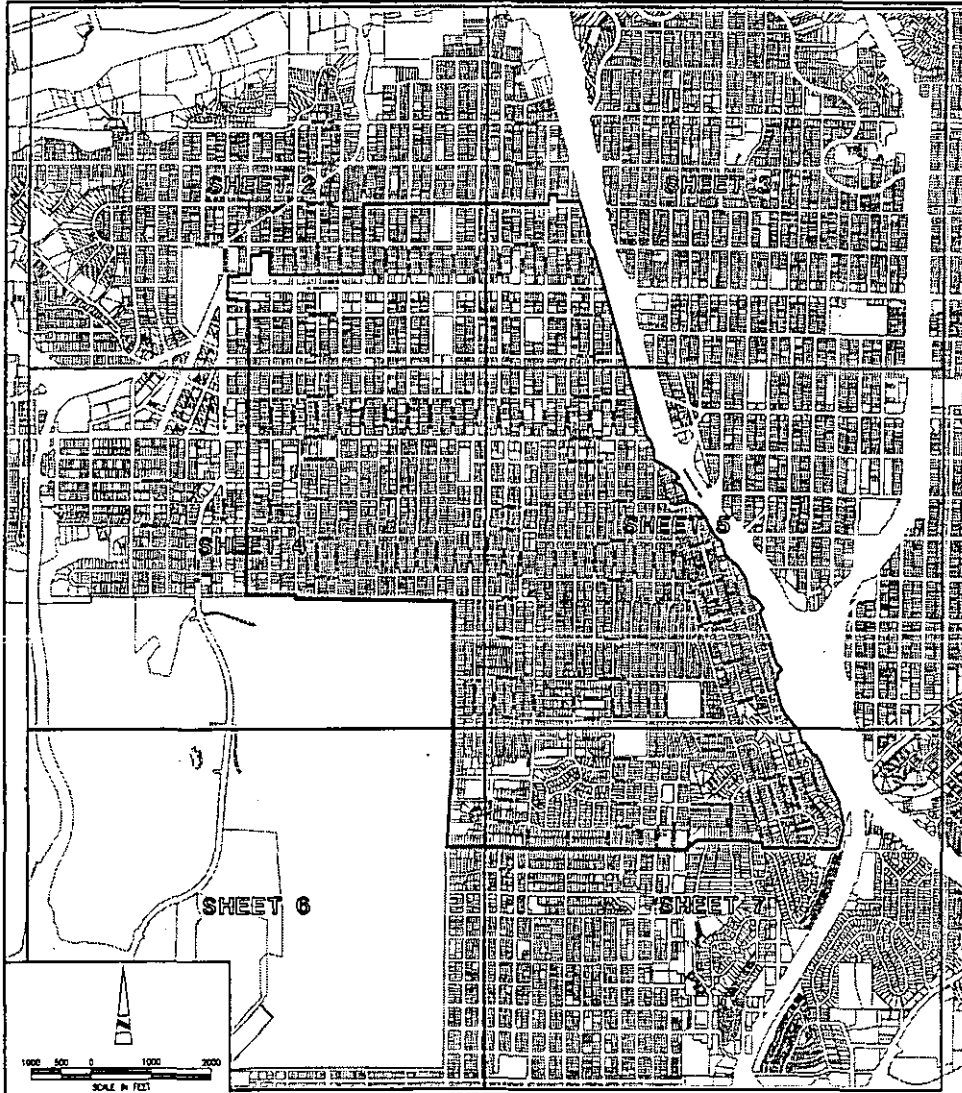
Elizabeth Maland, CITY CLERK
CITY OF SAN DIEGO
STATE OF CALIFORNIA

I, _____, as SUPERINTENDENT OF STREETS of the CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, do hereby certify that the foregoing Assessment, together with the Assessment Diagram was recorded in my office on the _____ day of _____, 2007.

Hossein Ruhi, SUPERINTENDENT OF STREETS
CITY OF SAN DIEGO
STATE OF CALIFORNIA

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EXHIBIT A



Source: 2007, City of San Diego BARDAC, and Boyle Engineering Corporation.

BOUNDARY MAP

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF SAN DIEGO, STATE OF CALIFORNIA, THIS _____ DAY OF _____, 2007.

LIZ MALAND, CITY CLERK
CITY OF SAN DIEGO
STATE OF CALIFORNIA

PREPARED BY:
BOYLE ENGINEERING CORPORATION
1937 Camino del Rio, Suite 500, San Diego, California 92108-3000

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF THE NORTH PARK MAINTENANCE ASSESSMENT DISTRICT, CITY OF SAN DIEGO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2007, BY ITS RESOLUTION NO. _____.

LIZ MALAND, CITY CLERK
CITY OF SAN DIEGO
STATE OF CALIFORNIA

AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO ON THE LOTS, PIECES, AND PARCELS OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM, SAID ASSESSMENT WAS LEVIED ON THE _____ DAY OF _____, 2007. SAID ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS OF THE CITY OF SAN DIEGO, STATE OF CALIFORNIA, ON THE _____ DAY OF _____, 2007. REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

NOTE: FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF LOTS OR PARCELS SHOWN ON THIS MAP, REFER TO THE COUNTY ASSESSOR'S MAPS WHICH SHALL GOVERN WITH RESPECT TO ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

LEGEND:
 - - - - - District Boundary
 _____ Parcel Line
 _____ Improvement Arise *

* REFER TO THE ENGINEERING REPORT AND APPROVED DOCUMENTS FOR SPECIFICATION OF IMPROVEMENTS AND PARCELS.



CITY OF SAN DIEGO

**NORTH PARK
MAINTENANCE ASSESSMENT DISTRICT**

W.C. DATE: MAR 2007 REV: 2

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EXHIBIT B

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**EXHIBIT B - Estimated Annual Budget
North Park Maintenance Assessment District**

	<u>FY 2008 ⁽¹⁾⁽²⁾</u>	<u>Maximum Authorized ⁽²⁾⁽³⁾</u>
OPENING FUND BALANCE		
Carryover Fund Balance	\$480,449	--
 EXPENSES		
Personnel	\$38,952	\$38,952
Contractual Services	\$205,205	\$205,205
Neighborhood Services	\$442,507	\$442,507
Miscellaneous Services	\$17,084	\$17,084
Incidentals	\$31,352	\$31,352
Utilities	\$50,751	\$50,751
TOTAL EXPENSES	<u>\$785,851</u>	<u>\$785,851</u>
 REVENUES		
Assessments	\$534,175	\$534,175
Interest	\$15,500	\$15,500
City Contributions - Gas Tax	\$18,134	\$18,134
TOTAL REVENUES	<u>\$567,809</u>	<u>\$567,809</u>
 CLOSING FUND BALANCE	\$262,407	--

(1) FY 2008 is the City's Fiscal Year 2008, which begins July 1, 2007 and ends June 30, 2008.

(2) Individual line item expenses may be higher or lower than shown on an annual basis.

(3) Maximum authorized annual assessment subject to cost-indexing provisions contained in Assessment Engineer's Report.

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EXHIBIT C

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NOTE: Due to the size of the Assessment Roll (Exhibit C), only limited copies are available. Please contact the City of San Diego, Park & Recreation Department, Open Space Division, Maintenance Assessment Districts Program at (619) 685-1350 and it is also available for viewing at the City Clerk's Office. Please contact the City Clerk's Office at (619) 533-4000.

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EXHIBIT D

000624 :

NOTE: Due to the size of the Assessment Roll (Exhibit D), only limited copies are available. Please contact the City of San Diego, Park & Recreation Department, Open Space Division, Maintenance Assessment Districts Program at (619) 685-1350 and it is also available for viewing at the City Clerk's Office. Please contact the City Clerk's Office at (619) 533-4000.

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

1. CERTIFICATE NUMB (FOR AUDITOR'S US) **331**
7/10

000625

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT): **Park and Recreation**
RECEIVED
CLERK'S OFFICE

3. DATE: **March 26, 2007**

4. SUBJECT: **North Park Maintenance Assessment District**

07 APR 18 PM 3:17

5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.)
Clay Bingham (619) 533-6724 - 804A

6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.)
Joe Henderson (619) 683-1359 - 804A

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND			
DEPT.			
ORGANIZATION			
OBJECT ACCOUNT			
JOB ORDER			
C.I.P. NUMBER			
AMOUNT			

9. ADDITIONAL INFORMATION / ESTIMATED COST:
The District will be entitled to a contribution from Gas Tax Fund 30219 in the amount of \$20,221. These funds are included in the Proposed Fiscal Year 2008 Budget. The City has 78 parcels with a yearly assessment of \$4,426.46.

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	STACEY LOMEDICO	3/27/07	8	DEPUTY COO	RICK FRYNOLDE	4/12/07
2	EAS (DSD)	Allison Hurwood	3-29-07	9	Asst COO	RONNE FRYNOLDE	4/2/07
3	EOCP	CELIA GRIFFIN	4/3/07	10	CITY ATTORNEY	PETE DELARA	4/17/07
4	LIAISON OFFICE	ED PLANK	4/4/07	11	ORIGINATING DEPARTMENT	STACEY LOMEDICO	4-17-07
5	ENGINEERING & CAPITAL PROJECTS	RICHARD LEJA		DOCKET COORD: _____ COUNCIL LIAISON: _____			
6	F.M.	GINA DULAY	4/10/07	<input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO: _____ COUNCIL DATE: _____			
7	AUDITOR	FERNANDA FIGUEROA	4/11/07				

11. PREPARATION OF: RESOLUTION(S) ORDINANCE(S) AGREEMENT(S) DEED(S)

- Proposing to increase the North Park Maintenance Assessment District assessments beyond the current amount authorized, modify the current cost-indexing provision; and
- Preliminarily approving the Assessment Engineer's Report; and
- Authorizing the intention to levy and collect assessments for Fiscal Year 2008, establish the maximum authorized assessments, and set maximum assessment indexed annually to the San Diego Regional Consumer Price Index-Urban (CPI-U) plus (3) three percent; and

Upon affirmative findings at the public hearing on Tuesday, July 10, 2007:

- Authorizing the consideration of protests, approval of the Assessment Engineer's Report, confirming assessments, and ordering the improvements, maintenance, and/or services; and
- Adopting the annual budget for the North Park Maintenance Assessment District in Fiscal Year 2008.

11A. STAFF RECOMMENDATIONS:
Adopt the Resolutions and authorize the balloting process.

12. SPECIAL CONDITIONS:

COUNCIL DISTRICT(S): 3 -Councilmember Toni Atkins

COMMUNITY AREA(S): North Park

ENVIRONMENTAL IMPACT: This activity is not a "project" and is therefore not subject to the California Environmental Quality Act (CEQA) pursuant to state CEQA guidelines Section 15060c(3)

HOUSING IMPACT: None known.

OTHER ISSUES: Attention City Clerk: The Public Hearing should be scheduled for July ??, 2007. Once copies of resolutions are available, please contact Clay Bingham at (619) 533-6724 and send them to Mail Station 804A.

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EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO

DATE ISSUED: May 9, 2007 REPORT NO: 07-069 REV
ATTENTION: Council President and City Council
ORIGINATING DEPARTMENT: Park and Recreation
SUBJECT: North Park Maintenance Assessment District - Reballot
COUNCIL DISTRICT(S): District 3 – Councilmember Toni Atkins
CONTACT/PHONE NUMBER: Clay Bingham (619) 533-6724

REQUESTED ACTION:

This City Council action will increase the Fiscal Year 2008 assessments for the North Park Maintenance Assessment District. The District is generally located north of Upas and Juniper Streets, south of Monroe Avenue, west of Interstate 805, and east of Georgia Street.

Projects authorized by the current District have largely been completed. In response to the limited services the current District can provide, and in reaction to community outreach which identified a need for enhanced future community improvements and services within the District, community representatives have requested that the City initiate proceedings to allow for an increase in assessments beyond the amount currently authorized.

STAFF RECOMMENDATION:

~~Authorize the commencement of the 45-day balloting period as required by law and schedule a public hearing for July 10, 2007.~~

1. Adopt the resolution initiating proceedings for the augmentation of the North Park Maintenance Assessment District.
2. Adopt the resolution preliminarily approving the engineer's report submitted in connection with the proposed augmentation of the North Park Maintenance Assessment District.
3. Adopt the resolution of intention to augment the North Park Maintenance Assessment District and to levy and collect Fiscal Year 2008 annual assessments on the North Park Maintenance Assessment District.

EXECUTIVE SUMMARY:

Authorize the commencement of the 45-day balloting period as required by law and schedule a public hearing for July 10, 2007.

FISCAL CONSIDERATIONS:

Approximately \$533,937 will be assessed to property owners within the District in Fiscal Year 2008. The City owns 78 assessable parcels in the District, and it is estimated that the General Fund impact will increase from \$3,136.50 to \$4,426.46. The District will be entitled to a contribution from Gas Tax Fund 30219 in the amount of \$20,221. These funds have already been requested as part of the Fiscal Year 2008 budget process. The proposed Fiscal Year 2008 Budget for the District is as follows:

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

The District was originally established in April 1996, balloted for compliance with Proposition 218 in 1998, with provisions for additional improvements to be maintained by the District. The additional improvements were determined through a process of community participation and input, and property owners approved the re-engineering of the District with 61.5% of the weighted vote.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The membership of the North Park Maintenance Assessment District Citizen's Advisory Committee (NP CAC), consists of representatives from the following community organizations: Greater North Park Planning Committee, North Park Community Association, Altadena Neighborhood Association, El Cajon Boulevard Business Improvement District, North Park Law Enforcement Committee, San Diego County Apartment Association, North Park Redevelopment Project Area Committee, Burlingame Neighborhood Association and North Park Main Street. The committee also provides for one (1) Homeowner/Resident position. The committee member organizations passed resolutions in support of re-engineering the District on the following dates:

1. North Park Project Area Committee: December 13, 2005
2. North Park Main Street: December 14, 2005
3. Greater North Park Planning Committee: January 17, 2006
4. North Park Community Association: January 25, 2006
5. Burlingame Neighborhood Association: February 3, 2006
6. El Cajon Business Improvement Association: February 13, 2006
7. Altadena Neighborhood Association: February 24, 2006
8. San Diego County Apartment Association: April 3, 2007

Additionally, the North Park Maintenance Assessment District CAC passed the following motions:

1. February 12, 2007 - Approved Fiscal Year 2008 Reballot Budget
2. March 12, 2007 - Approved North Park Assessment Engineer's Report

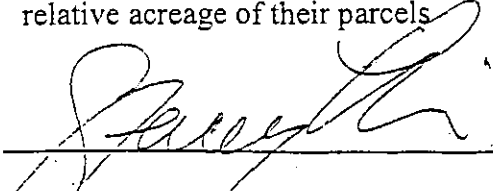
The North Park Maintenance Assessment District CAC has been gathering input and reviewing improvement areas and service levels for the past 17 months. In a survey of property owners located within the District in early 2006, nearly 80% of respondents were in favor of the re-engineering of a new district with a broader range of permissible improvements and services. Additionally, a "North Park Town Hall" meeting was conducted on April 8, 2006 in part to discuss the proposed re-engineering of the District and gather additional community input.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

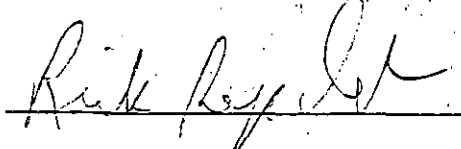
In addition to the major stakeholder organizations mentioned above, residential property owners are approximately assessed 74% and commercial property owners 24% of the total revenue collected in the District. Under the proposed action, resident property owners will see an annual

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increase of \$11.59, while commercial property owner's increases will vary depending upon the relative acreage of their parcels



Originating Department



Deputy Chief/Chief Operating Officer

RESOLUTION NUMBER R- _____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CONSIDERING THE PROTESTS, APPROVING ASSESSMENT ENGINEER'S REPORT, ORDERING AND CONFIRMING THE AUGMENTED ASSESSMENTS, AND ORDERING THE IMPROVEMENTS, MAINTENANCE AND/OR SERVICES, IN THE MATTER OF THE NORTH PARK MAINTENANCE ASSESSMENT DISTRICT.

WHEREAS, the Landscape and Lighting Act of 1972 [the Act], codified at California Streets and Highways Code section 22500 et seq., authorizes the creation of maintenance assessment districts pursuant to the terms thereof; and

WHEREAS, a maintenance assessment district known as the "North Park Maintenance Assessment District" [the District] was established by the Council of the City of San Diego in April 1996; and

WHEREAS, the Council of the City of San Diego has heretofore authorized the initiation of proceedings to augment the scope of the District; and

WHEREAS, the Council of the City of San Diego has heretofore preliminarily approved the report of the engineers created and filed in connection with same; and

WHEREAS, the notice of the time and place fixed for the hearing of regarding the augmentation of the District, having been duly given in the manner required by law, and the legal time for filing such protests and the time fixed for hearing thereon having passed; NOW,

THEREFORE,

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BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The assessment ballots returned in favor of the increase of levy of the assessment for the District are greater than those returned in opposition.

2. The Engineer's Report for the District, and filed in the office of the City Clerk as Document No. RR-_____ [Engineer's Report], is hereby approved for these purposes.

3. The North Park Maintenance Assessment District is hereby augmented in accordance with the Engineer's Report.

4. The increased assessments described in Document No. RR-_____, on file in the office of the City Clerk and on file in the office of the Open Space Division of the Parks and Recreation Department, in the Maintenance Assessment District Section, are hereby confirmed and shall constitute the augmented levy of assessments.

5. The assessment district map for the District, described in Document No. RR-_____ is hereby confirmed and approved.

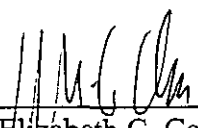
6. The improvements, maintenance and/or services described in the Engineer's Report are hereby ordered performed.

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(R-2007-1001)
CORR.COPY

BE IT FURTHER RESOLVED, that this activity is not a project and therefore not
subject to CEQA pursuant to State Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Elizabeth C. Coleman
Deputy City Attorney

PD:ECC:mm
04/16/07
06/27/07 Corr. Copy
Or.Dept:P&R
R-2007-1001
MMS#4632

I hereby certify that the foregoing Resolution was passed by the Council of the City of San
Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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RESOLUTION NUMBER R-_____

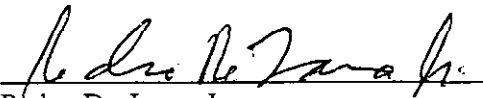
DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING FISCAL YEAR 2008 BUDGET FOR
THE NORTH PARK MAINTENANCE ASSESSMENT
DISTRICT.

BE IT RESOLVED, by the Council of the City of San Diego, that the Fiscal Year 2008
Budget for the North Park Maintenance Assessment District, as described in the Engineer's
Report for the North Park Maintenance Assessment District, is hereby approved.

BE IT FURTHER RESOLVED, that this activity is not a project and therefore exempt
from CEQA pursuant to State Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Pedro De Lara, Jr.
Deputy City Attorney

PD:mm
04/16/07
Or.Dept: Park & Rec
R-2007-1005
MMS4632

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I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FOR THE NORTH PARK MAINTENANCE ASSESSMENT DISTRICT.

WHEREAS, a maintenance assessment district known as the "North Park Maintenance Assessment District" [the District] was established by the Council of the City of San Diego in April 1996; and

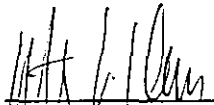
WHEREAS, the City Auditor and Comptroller has established Fund 70249 as the North Park Maintenance Assessment District Fund; and

WHEREAS, the City Council has authorized the augmentation of the District pursuant to Streets and Highways Code sections 22500 et seq.; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Auditor and Comptroller be, and hereby is, authorized to appropriate and expend Fund No. 70249, North Park Maintenance Assessment District Fund, in accordance with the augmentation of the District.

BE IT FURTHER RESOLVED, that this activity is not a project and therefore not subject to CEQA pursuant to State Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By  _____
ELIZABETH COLEMAN
Deputy City Attorney

EC:mm
06/27/07
Or.Dept:Park & Rec.
R-2007-1307
MMS#4804

000628

(R-2007-1307)

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor